THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT APPEAL NO.533 OF 2006

Date: 24-05-2006

Between:

P.Ramulu ..Appellant

And

The Prohibition & Excise Superintendent

And two others …Respondents

THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT APPEAL NO.533 OF 2006

J U D G M E N T *(Per the Hon'ble Sri Justice L.Narasimha Reddy):*

The appellant is the President of the Toddy Tappers' Cooperative Society, Kosigi village, Mahabubnagar district. On the strength of an inspection conducted in the shops established by the Society, licences were suspended, pending enquiry. Aggrieved thereby, the appellant preferred an appeal before the Deputy Commissioner of Prohibition and Excise, Mahabubnagar. Initially an order of stay was granted and ultimately, the appeal was rejected through order dated 08-09-2005. Aggrieved thereby, the appellant preferred a further appeal to the Commissioner of Prohibition and Excise and it was rejected on 17-03-2006. The appellant filed Writ Petition No.8272 of 2006 challenging the orders of rejection of appeals. The writ petition was dismissed on 24-04-2006 directing that the enquiry initiated against the appellant be concluded within four weeks from the date of receipt of a copy of the order. The same is challenged in this writ appeal.

Heard learned counsel for the appellant and learned Government Pleader for Prohibition and Excise.

Interference with the interlocutory orders and matters arising out of the same is almost uncommon. Two authorities, under the Andhra Pradesh Excise Act, 1968, have refused to interfere with the order of suspension of the licence, pending enquiry. The allegation against the appellant is somewhat serious and this Court is not inclined to interfere with such orders in this writ appeal.

Learned counsel for the appellant submits that the left over period of the licence is only few months and unless the enquiry is completed expeditiously, the entire matter may become infructuous.

We take note of the fact that the learned Single Judge has already issued directions to the licensing authority to conclude the proceedings within a period of four weeks. We reiterate the same. We further direct that in case the licencing authority finds any

impediment in the matter of conclusion of the proceedings, he shall consider the feasibility of revoking the suspension, if necessary by imposing any conditions.

The writ appeal is accordingly disposed of. There shall be no order as to costs.

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(L. NARASIMHA REDDY,J)

Dated 24th May, 2006

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(D.APPA RAO,J)

vrn/sh